

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

In re:)	MDL No. 1456
)	Civil Action No. 01-12257-PBS
PHARMACEUTICAL INDUSTRY)	Subcategory No. 06-11337
AVERAGE WHOLESALE PRICE)	
LITIGATION)	Hon. Patti B. Saris
_____)	

THIS DOCUMENT RELATES TO:

<i>United States ex rel. Ven-A-Care of the</i>)	
<i>Florida Keys, Inc. v. Schering Corporation,</i>)	
<i>Schering-Plough Corporation and</i>)	
<i>Warrick Pharmaceuticals Corporation</i>)	
Civil Action No. 09-CV-10547)	
MDL Action No. 1456)	
)	
<i>United States ex rel. Ven-A-Care of the</i>)	
<i>Florida Keys, Inc. v. Schering Corporation,</i>)	
<i>Schering-Plough Corporation and</i>)	
<i>Warrick Pharmaceuticals Corporation</i>)	
Civil Action No. 00-CV-10698)	
MDL Action No. 1456)	
)	
<i>California ex rel. Ven-A-Care of the</i>)	
<i>Florida Keys, Inc. v. Schering Corporation,</i>)	
<i>Schering-Plough Corporation and</i>)	
<i>Warrick Pharmaceuticals Corporation</i>)	
Civil Action No. 03-CV-11226)	
MDL Action No. 1456)	

**THE PARTIES' JOINT MOTION TO RESCHEDULE THE FINAL SETTLEMENT
HEARING**

The parties to the above-captioned matter hereby respectfully request that the Court continue the Final Settlement Hearing currently scheduled for Friday, December 4, 2009, at 3:00 p.m., for one week, until Friday, December 11, 2009, at 3:00 p.m. In support of their Motion, the parties jointly state as follows:

1. The Court is currently scheduled to hold a Final Settlement Hearing on Friday, December 4, 2009 at 3:00 p.m.
2. The parties are close to finalizing a revised settlement and anticipate filing revised settlement papers on or before December 4, 2009.
3. In the event that revised settlement papers are not filed with the Court on December 4, 2009, the parties remain available to make a telephonic report to the Court at the previously scheduled time, December 4, 2009, at 3:00 p.m., should the Court wish a report on the status of the settlement.
4. Furthermore, in light of the anticipated filing of revised settlement papers on or before December 4, 2009, the parties respectfully request that the Court continue the Final Settlement Hearing until December 11, 2009, at 3:00 p.m.

WHEREFORE, the parties respectfully and jointly request that this Court enter an order re-scheduling the Final Settlement Hearing for Friday, December 11, 2009, at 3:00 p.m.

Respectfully submitted,

/s/ John P. Bueker
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Schering-Plough Corporation and
Warrick Pharmaceuticals Corporation

Dated: November 30, 2009

CERTIFICATE OF SERVICE

I hereby certify that on November 30, 2009, a true copy of the above Joint Motion was served on all counsel of record by electronic service pursuant to Case Management Order No. 2 entered by the Honorable Patti B. Saris in MDL 1456.

November 30, 2009

/s/ John P. Bueker
John P. Bueker